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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20218-2021
Date of decision-08.09.2021

JASKRAN SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vinay Puri, Advocate
for the petitioner.

Mr. P.S. Walia, AAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.17 dated 27.02.2021, under Sections 323, 452 & 34 Indian Penal Code, 1860, registered at Police Station Lambra, Jalandhar Rural, District Jalandhar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 20.05.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.17 dated 27.02.2021

registered under Sections 323 and 452 read with Section 34 of the Indian Penal Code, 1860 in Police Station Lambra, District Jalandhar (Rural).

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. There was undue and unexplained delay of 6 days in lodging of the FIR. The petitioner and his co-accused Palwinder Singh are alleged to have trespassed into the house of complainant-Bikker Singh. The petitioner is alleged to have merely caught the complainant. His co-accused is alleged to have inflicted three injuries to the complainant which were declared to be simple. The petitioner is not alleged to have caused any injury to the complainant. The petitioner is ready to join the investigation and his custodial interrogation will not be necessary in the case.

Notice of motion.

Pursuant to supply of advance copy, Mr. P.S. Walia, Asstt. A.G. Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 08.09.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Daljinder Singh does not dispute this fact that the petitioner has joined the investigation and

he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 20.05.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

08.09.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No